

“(2) PERFORMANCE MEASUREMENT.—All measurements of Amtrak performance, including decisions on whether, and to what extent, to provide operating subsidies, shall be based on Amtrak’s ability to carry out the mission described in paragraph (1).”; and

(C) by redesignating paragraphs (9) through (11) in subsection (c) as paragraphs (10) through (12), respectively, and inserting after paragraph (8) the following:

“(9) provide redundant or complimentary intercity transportation service to ensure mobility in times of national disaster or other instances where other travel options are not adequately available;”.

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 241 is amended by striking the item relating to section 24101 and inserting the following:

“24101. Findings, mission, and goals”.

On page 18, line 7, strike “and”.

On page 18, strike lines 8 and 9 and insert the following:

(12) prior fiscal year and projected operating ratio, cash operating loss, and cash operating loss per passenger on a route, business line, and corporate basis;

(13) prior fiscal year and projected specific costs and savings estimates resulting from reform initiatives;

(14) prior fiscal year and projected labor productivity statistics on a route, business line, and corporate basis;

(15) prior fiscal year and projected equipment reliability statistics; and

(16) capital and operating expenditure for anticipated security needs.

**SA 3486.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

On page 105, between lines 13 and 14, insert the following:

“(12) To review rail crossing safety improvements, including improvements using new safety technology.

**SA 3487.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

On page 95, between lines 2 and 3, insert the following:

“(13) A review of the safety of all public railway-highway grade crossings, including security measures, safety conditions, past accidents, possible safety improvements, and any other factors that the Secretary considers relevant.

**SA 3488.** Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ SENSE OF THE SENATE REGARDING THE NEED TO MAINTAIN AMTRAK AS A NATIONAL PASSENGER RAIL SYSTEM.**

(a) FINDINGS.—The Senate makes the following findings:

(1) In fiscal year 2007, 3,800,000 passengers traveled on Amtrak’s long distance trains, an increase of 2.4 percent over fiscal year 2006.

(2) Amtrak long-distance routes generated \$376,000,000 in revenue in fiscal year 2007, an increase of 5 percent over fiscal year 2006.

(3) Amtrak operates 15 long-distance trains over 18,500 route miles that serve 39 States and the District of Columbia. These trains provide the only rail passenger service to 23 States.

(4) Amtrak’s long-distance trains provide an essential transportation service for many communities and to a significant percentage of the general public.

(5) Many long-distance trains serve small communities with limited or no significant air or bus service, especially in remote or isolated areas in the United States.

(6) As a result of airline deregulation and decisions by national bus carriers to leave many communities, rail transportation may provide the only feasible common carrier transportation option for a growing number of areas.

(7) If long-distance trains were eliminated, 23 States and 243 communities would be left with no intercity passenger rail service and 16 other States would lose some rail service. These trains provide a strong economic benefit for the States and communities that they serve.

(8) Long-distance trains also provide transportation during periods of severe weather or emergencies that stall other modes of transportation.

(9) Amtrak provided the only reliable long-distance transportation following the September 11, 2001 terrorist attacks that grounded air travel.

(10) The majority of passengers on long-distance trains do not travel between the endpoints, but rather between any combination of cities along the route.

(11) Passenger trains provide transportation options, mobility for underserved populations, congestion mitigation, and jobs in the areas they serve.

(12) Passenger rail has a positive impact on the environment compared to other modes of transportation by conserving energy, reducing greenhouse gas emissions, and cutting down on other airborne particulate and toxic emissions.

(13) Amtrak communities that are served use passenger rail and passenger rail stations as a significant source of economic development.

(14) This Act makes meaningful and important reforms to increase the efficiency, profitability and on-time performance of Amtrak’s long-distance routes.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) long-distance passenger rail is a vital and necessary part of our national transportation system and economy; and

(2) Amtrak should maintain a national passenger rail system, including long-distance routes, that connects the continental United States from coast to coast and from border to border.

**SA 3489.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

On page 60, after line 22, add the following:

**SEC. 224. PASSENGER RAIL COST STUDY.**

(a) IN GENERAL.—The National Railroad Passenger Corporation shall conduct a study to determine the potential cost and economic impact of passenger rail service between Scranton, Pennsylvania and Binghamton, New York.

(b) SUBMISSION.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall submit a report containing the results of the study conducted under this section to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

**SEQUENTIAL REFERRAL EXTENSION**

Ms. CANTWELL. Madam President, as in executive session, I ask unanimous consent that the sequential referral of the nomination of Julia L. Myers, of Kansas, to be an Assistant Secretary of Homeland Security, to the Committee on Judiciary be extended until November 2, 2007; further that if the nomination is not reported at that time, the nomination then be automatically discharged and placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

**EXECUTIVE SESSION**

**EXECUTIVE CALENDAR**

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 255, R. Lyle Laverty to be Assistant Secretary for Fish and Wildlife; that the nomination be confirmed; the motion to reconsider be laid upon the table; the President be immediately notified of the Senate’s action and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

**DEPARTMENT OF THE INTERIOR**

R. Lyle Laverty, of Colorado, to be Assistant Secretary for Fish and Wildlife.

**LEGISLATIVE SESSION**

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

**CONGRATULATING THE BOSTON RED SOX**

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 359, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 359) congratulating the Boston Red Sox on winning the 2007 World Series.

There being no objection, the Senate proceeded to consider the resolution.

Ms. CANTWELL. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, en bloc, and any statements be printed in the RECORD.